

08 CV 5499

JUDGE DAVIS

FRIEDMAN, JAMES & BUCHSBAUM LLP

Attorneys for Plaintiff  
132 Nassau Street, Suite 900  
New York, NY 10038  
(212) 233-9385  
BF-9219  
AB-6475

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

FREDERICK W. JOHNSON III,

PLAINTIFF DEMANDS  
A TRIAL BY JURY

Plaintiff,

COMPLAINT

-against-

MORAN TOWING AND TRANSPORTATION,  
LLC, MORAN TOWING CORPORATION and  
MORAN TOWING AND TRANSPORTATION,  
INC.,

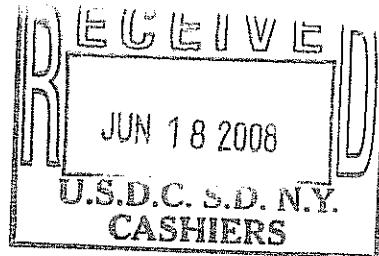
SEAMAN'S CASE UNDER  
THE JONES ACT FOR  
PERSONAL INJURIES

Defendants.

X

SUITS UNDER SPECIAL RULE FOR SEAMEN TO SUE  
WITHOUT SECURITY OR PREPAYMENT OF FEES  
FOR THE ENFORCEMENT OF THE LAWS OF THE  
UNITED STATES, COMMON AND STATUTORY FOR  
THE PROTECTION OF AND FOR THE HEALTH AND  
SAFETY OF SEAMEN AT SEA

Plaintiff FREDERICK W. JOHNSON III, complaining of the defendants  
MORAN TOWING AND TRANSPORTATION, LLC, MORAN TOWING  
CORPORATION and MORAN TOWING AND TRANSPORTATION, INC., by his  
attorneys FRIEDMAN, JAMES & BUCHSBAUM LLP, respectfully alleges upon  
information and belief as follows:



1. At all relevant times, defendant MORAN TOWING AND TRANSPORTATION, LLC was and still is a limited liability company organized and existing pursuant to the laws of Delaware transacting business within the Southern District of New York.

2. At all relevant times, defendant MORAN TOWING CORPORATION was and still is a corporation organized and existing pursuant to the laws of New York transacting business within the Southern District of New York.

3. At all relevant times, defendant MORAN TOWING AND TRANSPORTATION, INC. was a corporation organized and existing pursuant to the laws of Delaware transacting business within the Southern District of New York.

**FIRST COUNT**

4. At all relevant times, defendants, or any of them, owned the Tug KIMBERLY TURECAMO.

5. At all relevant times, defendants, or any of them, operated the Tug KIMBERLY TURECAMO.

6. At all relevant times, defendants, or any of them, controlled the Tug KIMBERLY TURECAMO.

7. That at all times and dates hereinafter mentioned, the plaintiff was a member of the crew of the Tug KIMBERLY TURECAMO and an employee of defendants, or any of them.

8. That on or about December 11, 2006, without any fault on the part of the plaintiff, and wholly and solely by reason of the negligence, recklessness and carelessness of defendants, or any of them, and its/their agents, servants and/or

employees, and by reason of the unseaworthiness of the Tug KIMBERLY TURECAMO, plaintiff was caused to sustain injuries.

9. As a result of the foregoing, the plaintiff was rendered sick, sore, lame and disabled and sustained severe and permanent personal injuries, was and is internally and externally disabled causing him to suffer pain, and for a time he was prevented from attending to his daily labors, thereby losing sums of money which he otherwise would have earned as wages, and has endeavored to be cured of his injuries, and has expended sums of money to maintain himself, and will continue to endure pain and suffering, all to his damage.

10. By reason of the foregoing, plaintiff has been damaged in the sum of SIX MILLION (\$6,000,000.00) DOLLARS.

**SECOND COUNT**

11. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 10 as if set forth fully at length herein.

12. Plaintiff is entitled to maintenance, cure, and medical expenses for the period that he was disabled and unable to work in the total sum of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS.

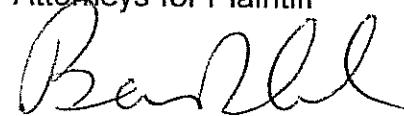
**WHEREFORE**, plaintiff FREDERICK WILLIAM JOHNSON III demands judgment against defendants MORAN TOWING AND TRANSPORTATION, LLC, MORAN TOWING CORPORATION and/or MORAN TOWING AND TRANSPORTATION, INC., on the First Count in the amount of SIX MILLION (\$6,000,000.00) DOLLARS; and against defendants MORAN TOWING AND TRANSPORTATION, LLC, MORAN TOWING CORPORATION and/or MORAN

TOWING AND TRANSPORTATION, INC. on the Second Count in the amount of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS, together with the costs, interest and disbursements of this action, and such other and further relief as this Court deems just and proper.

Dated: New York, New York  
June 17, 2008

**FRIEDMAN, JAMES & BUCHSBAUM LLP**  
Attorneys for Plaintiff

By:



---

Bernard D. Friedman (BF-9219)  
Andrew V. Buchsbaum (AB-6475)  
132 Nassau Street, Suite 900  
New York, NY 10038  
(212) 233-9385  
[bfriedman@friedmanjames.com](mailto:bfriedman@friedmanjames.com)  
[abuchsbaum@friedmanjames.com](mailto:abuchsbaum@friedmanjames.com)